

## REMARKS:

This communication is in response to the detailed Office Action dated May 4, 2004. In this office action the Examiner rejected all claims, claims 1-7, under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,718,196 to Uchiyama *et al.* (hereinafter “Uchiyama”).

The rejection is respectfully traversed. The Examiner states that Uchiyama discloses each limitation and element of the claims and relies on column 5, lines 44-55 of Uchiyama for this disclosure. *See* Office Action dated May 4, 2004, pg. 2. The Applicants disagree. Uchiyama discloses an apparatus for adjusting a timing chain vastly different from the apparatus claimed in the above-identified application. Uchiyama discloses a fastener 53 that fastens an alternator mounting plate 49 to the front of an engine 21. *See* Uchiyama, col. 5, ll. 47-55. The cylinder head 59 has a tapped opening 91 for receiving the fastener 53. *Id.* at col. 7, ll. 11-14. The apparatus is designed such that without removing the alternator mounting bracket 49, the fastener 53 may be removed and the timing chain tensioner 86 adjusted.

In contrast, the above-identified application claims a unique timing chain cover associated with a tensioner mechanism. *See* Above-Identified Application, paragraph [0020], and FIGS. The timing chain cover is configured with a tool insertion hole. *Id.* The tensioner mechanism includes a body housing a ratchet bar and a ratchet releasing hole formed in a body of the tensioner. *Id.* The tool insertion hole of the timing cover is aligned with the ratchet releasing hole formed in the body of the tensioner. *Id.* Therefore, in use, a tool can be inserted through the tool insertion hole of the timing chain cover and also through the ratchet releasing hole in the tensioner body to manipulate the ratchet bar.

Accordingly, Uchiyama does not anticipate the claimed subject matter of the above-identified application. Uchiyama does not disclose a timing chain cover having a tool insertion hole configured therethrough. In contrast, Uchiyama discloses a cylinder head having a tapped opening, not a timing chain cover having an insertion hole. Uchiyama also does not disclose a tensioner mechanism that has a body defining a hole that is aligned with the insertion hole in the timing chain cover for providing access to a ratchet bar. In light of at least these differences Uchiyama does not anticipate the claimed subject matter of the above-identified application and the Applicants respectfully request the rejection be withdrawn and the claims allowed.

Claim 1 has been amended to include the subject matter of claim 2 and claim 2 has been canceled. Claim 8 has been added, no new matter has been included with these amendments.

With the present amendments and the above arguments, the Applicants believe the independent claims of the above-identified application are now allowable and the rejection moot, therefore, the Applicants respectfully submit that the Examiner's rejection of the dependent claims has also become moot. Should the Examiner have any continuing objections or concerns, the Examiner is respectfully asked to contact the undersigned at 415-442-1106 in order to expedite allowance of this case. Authorization is granted to charge any outstanding fees due at this time for the continued prosecution of this matter to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (matter no. 060945-0096).

Respectfully submitted,

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